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PATENT
Attorney Docket No. 188125

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TANAKA et al.

Art Unit: 3622

Application No. 09/209,454

Examiner: D. Lastra

Filed: December 11, 1998

For: **SYSTEM FOR SELLING CONTACT
LENS**

**NOTICE OF APPEAL FROM THE
EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

U.S. Patent and Trademark Office
220 20th Street S. Customer Window, Mail Stop Appeal Brief - Patents
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed October 21, 2004, rejecting the following claims: 17-22.

The items checked below are appropriate:

1. Status of Applicants

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

2. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: ☒ other than a small entity or ☐ a small entity.

Notice of Appeal Fee due \$500.00

3. Extension of Time

- ☐ Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.
- ☐ An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.
- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

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In re Appln. of TANAKA et al.
Application No. 09/209,454

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$

4. Total Fee Due

The total fee due is:

Notice of Appeal Fee	\$500.00
Extension Fee (if any)	\$ 0.00

Total Fee Due: \$500.00

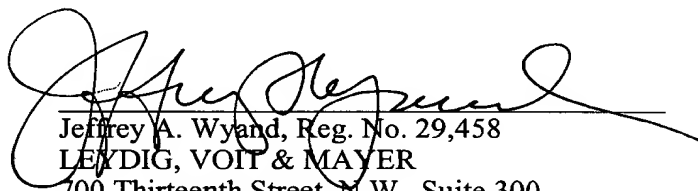
5. Fee Payment

- ☐ Attached is a check in the sum of \$
- ☒ Charge Account No. 12-1216 the sum of \$500.00. A duplicate of this transmittal is attached.

6. Fee Deficiency

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,


Jeffrey A. Wyand, Reg. No. 29,458
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Date: January 14, 2005
JAW:ves